

# Protecting the Public and Supporting Business – From Pandemic Recovery to the Cost of Living Crisis

**ACTSO**  
Association of  
Chief Trading Standards Officers

**Safonau Masnach Cymru**  
Trading Standards Wales

The Impacts and Outcomes of  
Local Trading Standards Services  
2021/22 in Wales



## FOREWORD

The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. The purpose of this second specific report of its kind is to highlight the collective impact of Trading Standards Services in Wales during 2021-22.

Across all areas of work, the risks associated with of the cost-of-living crisis on consumers and businesses is apparent. The need for effective business advice and a level playing field for legitimate businesses is going to be crucial to keep them afloat in difficult times. Risks to consumers around the safety of cheap or illicit goods and false claims relating to prices, costs and energy efficiency are growing. Finally, the impact of losing, even relatively small sums, to scammers and fraudsters, when every penny counts, is bigger than ever. Trading Standards have a vital role to play in addressing all of these risks. This increases demand on already stretched services.

As well as the usual three themes of Tackling Detriment and Preventing Harm, Supporting the Local Economy, and Promoting Health and Wellbeing, ACTSO have devoted specific sections to the remaining Covid related work being carried out by Trading Standards and a new section focussed on the work that Trading Standards Services are doing in relation to the environmental and net zero agenda.

Local government austerity has hit many Trading Standards Services hard over previous years. However, Trading Standards officers across Wales continue to have a big impact in protecting consumers, helping businesses and supporting the Covid response. The headlines from this year's report are: -

- Over £3million of detriment was prevented by Trading Standards' actions. This equates to £4.23 saved for every £1 spent. (Amount of detriment prevented divided by total available revenue).
- Overall staff numbers increased slightly to 257. However, there is still an ageing workforce, and recruitment challenges are being faced across the country. The Regulatory Apprenticeship discussion is progressing with Welsh Government, and it is hoped that this will assist in future workforce planning for Trading Standards, however, the challenges to local government budgets remain a potential obstacle.

- The reported demand on the service, measured by the number of referrals from Citizens Advice increased 68% from the 2020-21 figures, to 34,587 in 2021-22. Some of this increase may be attributed to a return to normal consumer activity post pandemic, but is also indicative of market conditions; the cost of living crisis finds consumers vulnerable and disreputable traders are taking advantage of the situation.
- Trading Standards Services obtained over £2.4 million in scam related redress for consumers.
- Trading Standards provided over 1,000 hours of advice to over 70 businesses through Primary Authority partnerships whilst the number of direct responses to requests for advice by non-Primary Authority/Home Authority businesses amounted to 4,087.
- Over 10,857 compliance checks were carried out to ensure businesses meet their legal responsibilities, which often includes a provision of advice on site.

In summary, activity levels are recovering to pre-Covid levels and exceeding it in some areas. Trading Standards continues to demonstrate its huge value in protecting consumers, legitimate businesses, public health and the environment.

When we consider the impact of this work, alongside what is delivered via National Trading Standards, it highlights the results that can be achieved using Trading Standards' intelligence led approach alongside more traditional methods of operation. Being able to operate at local, regional and national levels is key to the success for modern regulatory activity.

We hope this report allows Trading Standards managers to champion services at a local level, as well as showing the national impact of Trading Standards to all partners and stakeholders. It also informs Government's policy development that could impact on Trading Standards.

Special thanks go to the local authorities that submitted their data return and enabled this report to be collated.



**Judith Parry**  
Chair, Trading Standards Wales



**Steve Ruddy**  
Chair of the Association of Chief  
Trading Standards Officers



## BACKGROUND AND METHODOLOGY

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Welsh local authorities were asked to submit data for the financial year 2021/22. The indicators measure demand and resourcing alongside key outputs and outcomes from Trading Standards' activity.

19 of 20 Trading Standards services contributed, covering 21 of the 22 local authorities in Wales. The responses cover an area with a population of 3.078 million, or 96.5% of the population of Wales.

To illustrate the estimated national impact of Trading Standards, figures have been adjusted to account for both population and the response rate for each question. The resultant figures estimate impact and activity levels for the whole of Wales

## DEMAND AND RESOURCING

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It is estimated that the approximate revenue budget allocated to Trading Standards in Wales amounts to just over **£11 million**.

Other sources of income were National Trading Standards grants and Primary Authority income.

It is estimated that approximately **257 full time employees** are employed on Trading Standards' work. Of those, **89%** are "operational" staff.

Trading Standards received 44,152 referrals and notifications to their services, an increase of 68% on 2020-21. The majority, 34,587 (82%) are from Citizens Advice. This demonstrates how many members of the public are seeking advice and support from Trading Standards on consumer related problems and issues.

## SECTION ONE: TACKLING DETRIMENT AND PREVENTING HARM

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One of the key functions of Trading Standards is to prevent consumer and business detriment (financial and non-financial), tackle the criminal behaviour that leads to it and support victims.

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### 1.1 Stopping Fraudulent, Illegal and Unfair Trading

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As a last resort, Trading Standards Services do have to take formal enforcement action. This is usually where people deliberately break the law, cause serious harm or repeatedly ignore the advice and support given to comply. Trading Standards legislation carries a variety of penalties including: prison; fines; forfeiture of assets; fixed penalties; and undertakings to stop future non-compliance. Serious investigations are complex, lengthy and can take several years to bring to trial. This is being exacerbated by ongoing serious backlogs in the Court system.

Last year there were very few cases concluded due to the pandemic. These figures have started to slowly increase but are still not near the level seen in 2019/20.

- **87 defendants** were prosecuted and convicted.
- **Prison sentences** of nearly **39 years** were handed down. This includes both immediate and suspended sentences
- Defendants were ordered to pay **£136,325 in fines** and over **£690,000 in costs**
- Defendants were ordered to pay over **£695,000 in Proceeds of Crime**

### 1.2 Detriment and Redress

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Providing advice and support to the public on how to get a fair deal, as well as disrupting and taking enforcement action against criminal behaviour, prevents harm and financial detriment. Trading Standards can also get redress and compensation for victims as part of the prosecution process or through a variety of other means. In 2021/22, it is estimated that the actions of Trading Standards Services resulted in:

- **Almost £105,000 in compensation** being awarded to victims by the courts
- **Over £419,000 prevented from being handed over to criminals**
- **Nearly £315,000** being **gained for victims** through advice and intervention

All of these are significantly higher than in 20-21, when the Courts system was largely inaccessible due to Covid, but have still not reach the overall pre-Covid levels.

**Overall Trading Standards actions prevented nearly £3.5 million of detriment to consumers and businesses.**

### 1.3 Supporting Scam Victims

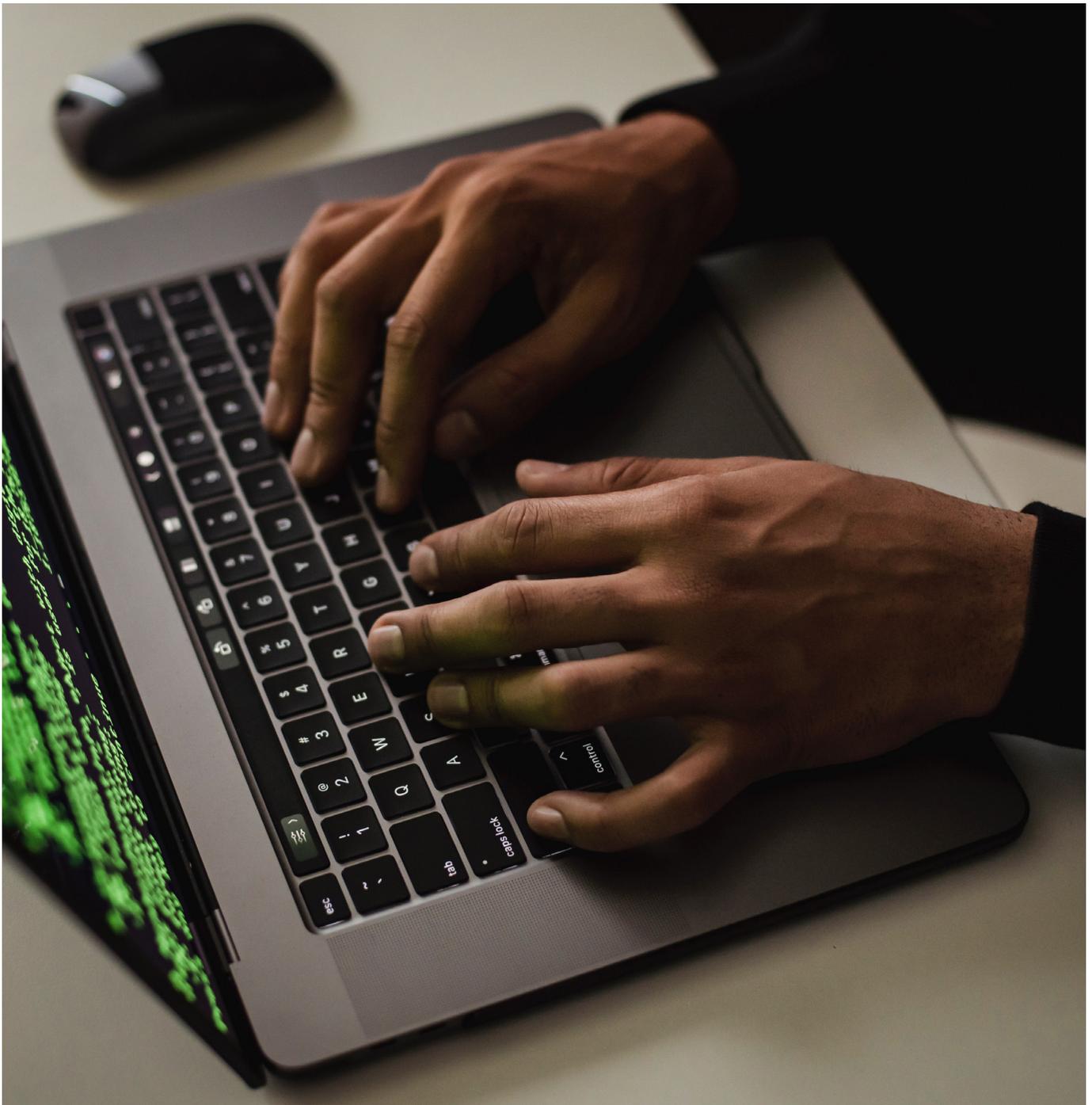
Fraud remains one of the most prevalent and under-reported crimes in the UK. Through investigative and disruptive work, Trading Standards identify and support victims of scams, especially the most vulnerable and often elderly victims of fraud. With the cost of living crisis, it is even more important that consumers do not lose any of their money to scammers and fraudsters.

The aim is to ensure they get the support they need to stop them responding to scams. This includes the installation of call blocking devices and work with safeguarding agencies. The intelligence also assists the National Trading Standards (NTS) Scams Team and other

NTS Teams undertake disruption work such as getting payment systems removed or taking down content from the internet.

In 2021/22 it is estimated that across Wales:

- Local authority Trading Standards provided support to over **1,317 scam victims**
- Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc., **saved consumers nearly £2.5 million**





### **Illicit Cigarettes, Organised Crime and Exploitation of the Vulnerable: Swansea Council Trading Standards**

Working closely with local police and social services, Swansea Trading Standards undertook an investigation into the importation and supply of illicit cigarettes. Following an arrest and the search of two properties, links to an Organised Crime Group were identified. The Group was involved in sexual exploitation and running/controlling brothels from Swansea right across the South coast. The Trading Standards investigation into the supply of illicit cigarettes allowed policing teams to step in and assist in safeguarding women who have been brought into this environment through no choice of their own.

### **Tackling the sale of e-cigarettes: Gwynedd Trading Standards**

Gwynedd Council undertook targeted work in one area of the county in particular to tackle the sale of e-cigarette products after intelligence began to filter through suggesting an issue with age restricted sales of e-cigarettes and the safety of the products themselves.

As compliance inspections had stopped during 2019-20, it was decided that we initially needed to undertake engagement inspections of premises in the target area to re-lay previous advice and guidance on the law surrounding the sale of e-cigarettes as well as other age restricted products.

Following engagement inspections, it was decided to undertake age related test purchases. Despite prior engagement with the targeted businesses there was a 38% failure rate recorded where products were sold to a child.

This raised concerns within the unit, and follow up compliance work was undertaken with the businesses that sold e-cigarettes to the child.

It was also felt that there was potentially a wider issue with the age restricted sales of e-cigarettes in Gwynedd, and a plan was put in place to prioritise work on age restricted sales of e-cigarettes, specifically undertaking targeted inspections in other areas of the county for 2022-23, and following up with age related test purchases – also looking at the safety and legality of the e-cigarettes themselves, and linking in with the Wales project on UAS of e-cigarettes.

### **Investment Scam: Blaenau Gwent Council Trading Standards:**

Officers from Blaenau Gwent Trading Standards supported a victim of an investment scam. The consumer had invested savings with whom she believed to be AXA, via two transactions totalling £40,000. The victim made enquiries online and then later received telephone contact. There had been no intervention from the bank despite these being large and unusual transactions. Officers advised the victim and provided her with a call blocker. Money was eventually recovered from the bank as a result of Trading Standards' advice and intervention.

## SECTION TWO: SUPPORTING THE LOCAL ECONOMY

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Businesses have always needed advice and support from Trading Standards to help them navigate the range of laws that ensure they trade fairly and their products are safe. This year, as businesses continue to recover from the impacts of Covid, and face supply chain and energy cost issues, the ability to access the correct advice and have confidence that they are not being undercut by competitors who break the law, has never been more important.

### 2.1 Businesses Get the Help and Support they need to Thrive and Grow

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A thriving local economy is a key priority for all local authorities. Trading Standards role in providing advice and support to businesses has never been more important.

Trading Standards Services provided over 1,000 hours of advice to businesses via Primary Authority Partnerships. These partnerships enable assured advice to be given to a business with multiple shops or sites via a single local authority. Over 70 businesses are covered by Primary Authority Partnerships in Wales.

In 2021/22, it is estimated that across Wales:

- Over **1,000 hours** were provided by Trading Standards advising over **70 Primary Authority businesses**
- Trading Standards responded to over **4,000 requests for advice** from businesses that were not part of the Primary Authority scheme.

### 2.2 Creating and Maintaining a Level Playing Field for Safe and Fair Competition

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At a time when businesses are recovering from the pandemic and facing rising costs and lower consumer confidence, ensuring a level playing field for legitimate businesses is crucial. Trading Standards Services follow an intelligence-led model where action is taken against the highest risk businesses. This can include visits to provide advice and information, seizure of counterfeit or unsafe products, or starting an investigation in the most serious cases.

In 2021/22, it is estimated that across Wales:

- Almost **11,000 visits** were carried out to businesses to ensure they comply with the law and provide advice to help them fix any non-compliance.
- Over **3,200 businesses** were subject to an intervention, such as advice, investigation or referral

- **58%** of Trading Standards services operate an assured trader scheme to help increase consumer confidence.
- Nearly **20,500 counterfeit products with a market value** of over **£316,000** which breach the intellectual property of legitimate businesses, were seized.

We anticipate that the threat from counterfeit goods will increase due to the financial pressures on households and businesses. Supplying counterfeit goods damages legitimate businesses who manufacture, distribute and buy licences to sell legitimate products. Often counterfeiting is run by international organised criminal gangs who use the profits from sales to fund other criminal activity.



### Allergen Training for Businesses: Shared Regulatory Service (Bridgend, Cardiff and the Vale of Glamorgan Councils)

SRS Trading Standards have worked with businesses, supporting them through recent changes in food allergen labelling requirements. Free on-line workshops provided local food businesses with an overview of legal requirements and an opportunity to ask business-specific questions.

Officers worked with the team at Bro Radio to produce the first of an ongoing series of podcasts entitled 'Ask the Regulator'. The first edition of the podcast focused on allergens and provides crucial Information in a clear, user friendly format for businesses and consumers alike. Podcast episodes have since been released and more are planned for 2022-23. A wider audience is being reached as these are now available via Spotify.

### Primary Authority

In Wales, the majority of local authorities (12 of 22) have Primary Authority partnerships with businesses, ranging from nationwide supermarket chains to start-up online companies. The Primary Authority scheme allows local authorities to provide advice and guidance to businesses which can help reduce the need for enforcement action and ensure compliance, as well as horizon scanning any new regulations or guidance from the Senedd or Westminster.

During 2021/22 Primary Authorities helped businesses navigate the introduction of food standards laws, including 'Natasha's Law' on food allergens, as well as animal feed matters, minimum unit pricing of alcohol and the sale of bladed articles as defined by the Offensive Weapons Act 2019.

Six major supermarkets now have Primary Authority Partnerships with Welsh local authorities, with a further supermarket currently seeking a partnership. Officers from Wales attend and contribute to the Trading Standards Primary Authority Supermarket Group meetings, which are facilitated by OPSS and held every quarter, and are attended by representatives from these large companies.

At the beginning of the financial year of 2021/22, there were a total of 66 Primary Authority partnerships in Wales.

Primary Authority assured advice is now being published bilingually on the PA Register by some local authorities. The Wales Primary Authority Group, with support from OPSS, meets every quarter and provides local authority officers with best practice guidance, useful resources and training.

## SECTION THREE: PROMOTING HEALTH AND WELLBEING

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Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities.

Trading Standards work includes ensuring that products people buy are safe, that food is correctly labelled to help them to make healthy choices and avoid allergens, and that the health and welfare of livestock is assured.

Age restricted products, including vaping products, tobacco, alcohol, and knives, are also a significant area of focus for many councils. Their availability to children is a concern in many communities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

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### 3.1 Ensuring the Safety of Consumer Products

Legislation and product standards are designed to ensure that products are safe. There are ongoing issues with the safety of some white goods and cheap imported goods such as lights and phone chargers. There continue to be examples of dangerous toys and unsafe cosmetics being sold in many areas. Officers increasingly use intelligence to direct sampling exercises and projects to detect and seize unsafe products detected at ports of entry as well as those found to be generally on sale.

This year the number of items removed from the market has significantly reduced from last year. However, this is because 2020-21 was completely different to any

previous year because Trading Standards were checking vast numbers of items of PPE to ensure they complied with safety standards.

In 2021/22, it is estimated that across Wales:

- Over **12,000 unsafe or non-compliant products were seized or removed from the market place** following Trading Standards' interventions.
- The **savings to society**, in terms of product value and injuries and fires prevented amounts to **£427,000**

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### 3.2 Protecting the food chain

When food becomes more expensive, as we are currently seeing, the temptation for unscrupulous businesses to adulterate or mislabel food to gain an unfair competitive advantage will increase. Consumers need to be able to trust what they eat and be confident that they are getting value for money as household food bills rise. The substitution of sub-standard ingredients, undeclared allergens and misdescribed food all damage health and cause consumer detriment.

In 2021/22, it is estimated that across Wales:

- Nearly **1,400 businesses** were identified as **supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components or was involved in food fraud**. This was much higher than 20-21 when the Food Standards Agency advised local authorities to suspend all routine food inspections due to Covid.

Ensuring animal health and welfare has a key role in protecting the rural economy and stopping the spread of diseases like Foot and Mouth Disease and Avian Influenza. It also helps ensure the quality of the food chain. Trading Standards Services are more often than not responsible for the enforcement of animal health and welfare laws.

In 2021/22 it is estimated that across Wales:

- Over **1,100 businesses** were found to be in **breach of animal health and welfare legislation**

### 3.3 Reducing the risk of children accessing age restricted products

Trading Standards Services provide training and advice to businesses, both online and in physical premises. They also conduct test purchases to test whether businesses are selling age restricted goods to children. Rules that prevent children from buying age-restricted products, such as vaping products, alcohol, tobacco, knives and fireworks, are designed to protect them and their local communities from both immediate and long-term harm. The levels of test purchasing were significantly higher than in 20-21 but remain low compared to that carried out pre Covid.

In 2021/22 it is estimated that across Wales:

- **Over 200 premises were tested for alcohol sales**
- **The average failure rate for alcohol test purchases was 16%**

- **36 premises were tested for tobacco sales**
- **The average failure rate for tobacco test purchases was 12%**
- **79 premises were tested for other products, including vaping products.**
- **The average failure rate for other products was 16%**

Failure rates for alcohol remain similar but there were major increases in failure rates for tobacco and other products.

In future years, there will be additional responsibilities on Trading Standards to monitor the age restricted supply of some cosmetic treatments and corrosives.

### 3.4 Reducing the availability of illicit products

Illicit tobacco, vape liquid and alcohol can contain undeclared contaminants.

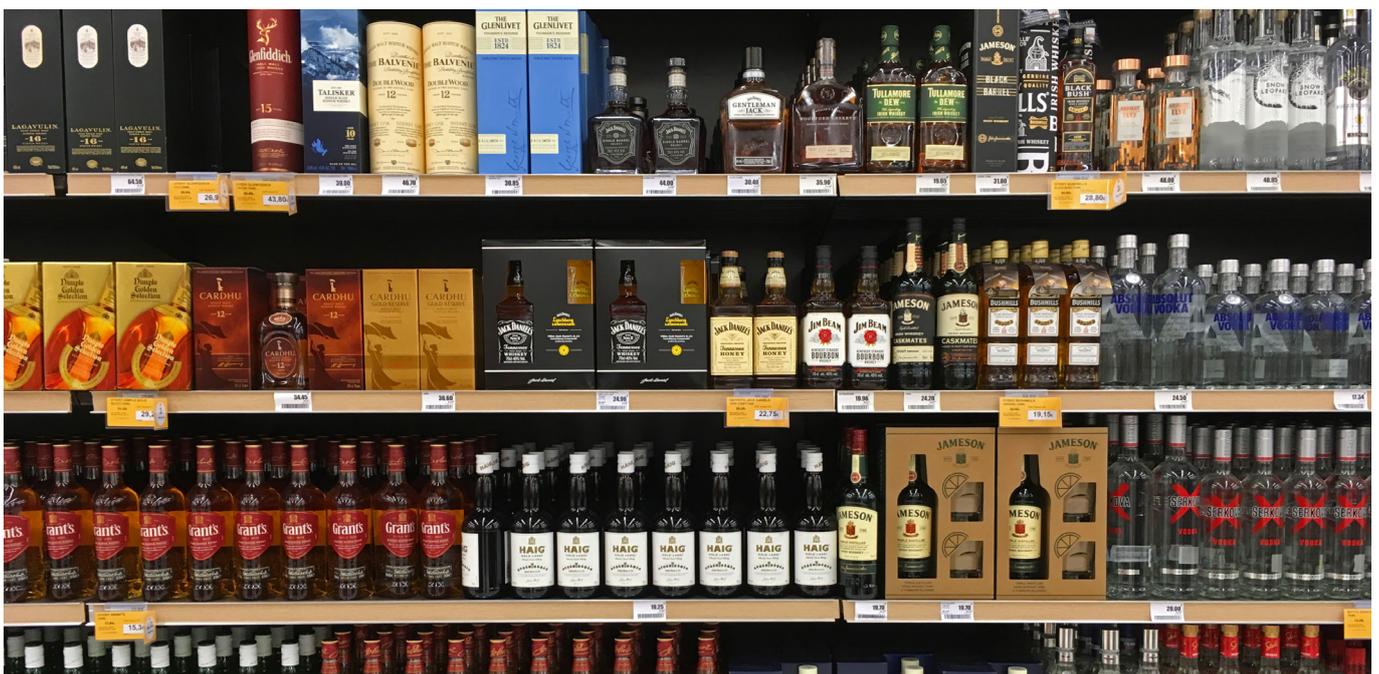
Also, the presence of illicit tobacco in local shops undermines Government attempts to help people to cut down and quit smoking altogether as price is a critical factor in pushing people to give up and illicit tobacco is usually significantly cheaper to buy.

The amount of tobacco seized has increased significantly. This is primarily due to the investment HMRC has made into National Trading Standards, who commission local authorities to carry out activities to disrupt the local supply of illicit tobacco.

Much of this activity is focused on using detection dogs and results in large scale seizures.

In 2021/22 across Wales:

- **Over 2.6 million illicit cigarettes were seized, worth an estimated £650,000**
- **Nearly 0.5 tonne of illicit hand-rolling tobacco was seized, worth almost £4,000**





### **Tackling Psychoactive Substances: Flintshire County Council**

Operation Blue Sapphire was a joint operation between Flintshire County Council Trading Standards and local officers from North Wales Police. A number of incidents where 'laughing gas' canisters were causing litter problems at some local beauty spots in Flintshire and concerns about the ages of the people purchasing them had been raised with the local Community Safety Partnership. A meeting between North Wales Police and Flintshire Trading Standards agreed that the initial best way forward was for trader advice around the sale of the canisters, which of course, also have a legal use. An officer from Trading Standards carried out the research and designed a leaflet for traders explaining the law around the supply of Psychoactive Substances. The leaflets were printed, shops that would possibly supply the canisters identified and joint visits between police and Trading Standards were undertaken to deliver the leaflets and advise shop owners accordingly. Complaint levels in this area have decreased notably since the advice has been given.

### **Illegal Dog Breeding: Monmouthshire County Council**

Operations have resulted in nearly 250 dogs being either seized or signed over. There have been significant findings linked to illegal and foreign labelled medicine, veterinary involvement and links to fertility clinic activities. Animal Licensing Wales has been established, it is a partnership between Welsh Government and Trading Standards Wales, and is attached to Monmouthshire County Council. Following the implementation of more rigorous checks funded by the project, a variety of problems were found. In one case, a licensed breeder was

found to be in possession of, and breeding from, a stolen dog. Thankfully the dog was able to be reunited with its owners shortly after being identified.

### **Protecting those with food allergies – the Greater Gwent Food Group**

In September 2021, the Greater Gwent Food Group, a partnership between Blaenau Gwent, Caerphilly, Monmouthshire, Newport City and Torfaen councils launched an online multilingual allergen resource for food businesses in Wales, England and Northern Ireland to help protect the estimated two million plus people living with a diagnosed food allergy in the UK.

The resources are freely available and hosted on the Chartered Trading Standards Institute (CTSI) website. They contain a variety of materials on the topic of food allergens. Included is an allergen awareness presentation video; a handout covering the presentation key messages; dubbed and subtitled versions of 'Day in the Life of Chloe' and 'Megan's Story' (originally produced by Lancashire County Council) and a 'Tell Us If You Have an Allergy' poster, all of which were produced in English, Welsh, Bengali, Cantonese, Kurdish, Mandarin, Punjabi, Turkish and Urdu.

The Food Standards Agency and Trading Standards Wales supported the project which aims to inform and help food business operators comply with allergen labelling requirements and keep their customers safe.

Production of the resource in Bulgarian/Hungarian/Polish and Romanian is planned during 2022.

## SECTION FOUR: SUPPORT FOR THE COVID RESPONSE

Trading Standards were a key part of the local authority Covid response, along with other colleagues in regulatory services. Whilst this was primarily carried out in 2020-21 and was reflected in last year's report, there is ongoing work across many local authorities. The case study below gives an example of some of the ongoing work that many Trading Standards services delivered this year.



### Ensuring Compliance by Licensed Premises: Flintshire County Council Trading Standards

Flintshire Trading Standards operated a triage system in partnership with police and licensing teams to ensure licensed premises complied with applicable Covid restrictions. North Wales Police carried out patrols to licensed premises, with officers completing a 'tick sheet' to show compliance or otherwise. Officers met daily to review the sheets using a traffic light system: Red - an immediate response was required, Amber - issue could be dealt with by phone call or letter, and Green - no issues. A decision on which service was best placed to deal with the issue was also taken. The involvement of the police licensing officer meant that police body-worn footage could be obtained quickly if required. The system was successful and ensured that serious non-compliances in the licensed sector could be dealt with efficiently.



### **Newport City Council Trading Standards – Energy Efficiency**

The 2019 Welsh Index of Multiple Deprivation states that the local authority with the highest proportion of small areas in the most deprived 10% in Wales is Newport.

Newport Trading Standards identified non-compliant F or G rated properties (low energy efficiency) and provided advice or undertook enforcement to get landlords to comply.

362 landlords were initially identified as not having required Energy Performance Certification. It was found that 117 were compliant, 11 were brought into compliance following Trading Standards intervention, advice is being provided to 12 and 229 are ongoing. The service delivered a landlord advice event in conjunction with the National Rented Landlord Association. The event was a success and was attended by 40 landlords. Publicity will be carried out via the website and printed leaflets and will be distributed via letting agents and colleagues. The impact of the work shows a reduction in annual carbon emissions of 198.5 tonnes, a reduction in annual energy of 178,329 kWh and a reduction in fuel bills of £58,217 based on April '22 prices. The work was made possible with a government grant

### **Taking a wider outlook on Doorstep Crime: Pembrokeshire County Council:**

In Pembrokeshire many doorstep traders are often involved in other crimes including fly tipping and unlicensed scrap metal and waste collection. The Trading Standards service consequently works more closely with colleagues in these other teams. One prosecution awaiting trial relates to a serial doorstep trader that is unlicensed for waste activities, that has also carried out fly tipping. The Trading Standards

service also works with colleagues in the Housing and Grants team to share intelligence and monitor complaints about traders operating in the area, offering home energy efficiency grants.

### **Wood and Multi-fuel Stoves Survey 2022: Merthyr Tydfil County Borough Council**

Wood burning stoves have risen dramatically in popularity in recent years, providing an additional form of heating for many, and for some, the sole source of heat. Wood and coal burning stoves currently account for 38% of particulate matter air pollution which the Government plans to reduce by 30% in total by 2030. The recent surge in popularity means domestic burning on stoves and open fires is now the single biggest source of particulate matter emissions, which is considered the most damaging pollutant.

The Government's Clean Air Strategy comes into force in 2022. This outlaws the sale of the most polluting fuels and ensures only the cleanest burning stoves are sold from 2022.

From 1st January 2022 all wood burning and multi-fuel stoves and fireplaces that are manufactured and sold have had to adhere to strict new guidelines known as Ecodesign. A stove that is compliant with the requirements of Ecodesign will emit up to 90% fewer emissions than an open fire and up to 80% less than a stove that is 10 or more years old due to the use of a more refined and efficient burn technology. These stoves now have to carry an SIA (Stove Industry Alliance) approved Ecodesign Ready Stove Quality Assurance Mark.

Officers identified 5 retail premises stocking stoves and all were visited. All items available for sale were found to be compliant with the new Ecodesign requirements, and no non-compliances were found.