



Safonau Masnach Cymru
Trading Standards Wales

POSITION STATEMENT

Trading Standards

Contributing to Economic Prosperity and Growth

EXECUTIVE SUMMARY

Economic growth is the lifeblood of successful communities. If businesses are able to thrive and grow then employment naturally follows. Trading standards regulation keeps markets fair. It ensures that criminality, whether this is from unsafe goods or practices that disadvantage consumers, does not impact on the vast majority of businesses that want to comply with the law. Delivering professional advice to businesses on regulation is essential to making a local authority area a great place to set up and run a business.

Trading Standards across Wales supports reputable businesses and takes firm action against rogue traders. These two activities help Welsh Government, local authorities and the UK Government meet their commitments to supporting and growing national and local economies; and supporting the economic well-being and prosperity of businesses and industry in Wales. Without the work of dedicated Trading Standards Officers rogue businesses would be free to disrupt the market place and take wealth out of the economy in terms of lost income to reputable traders; and remove the hard-earned savings of their victims. Additionally, Trading Standards Officers are available to businesses to provide their expertise on compliance through formal and informal arrangements. Businesses can use the knowledge of these officers to 'get things right first time' and prevent recall costs and legal challenges and prosecution. This approach has been particularly important during the recent COVID-19 pandemic. Trading Standards provided a considerable amount of advice for new start-ups and those needing to change operations to click and collect or on-line delivery.

GOVERNMENT AIMS, GOALS AND DRIVERS

The Well-being of Future Generations Act 2015 contains the well-being goal "A prosperous Wales". The Act aims to foster an innovative and productive society; using resources efficiently; and securing an economy which generates wealth and provides good employment. The Deregulation Act 2015 provides a duty on regulatory functions such as Trading Standards to fully consider the promotion of economic growth when making both policy decisions and individual decisions on business operators. The Regulatory Enforcement and Sanctions Act 2008 introduced the statutory Primary Authority scheme. This allows certain businesses to take charge of their regulation and through a process of co-production work with Trading Standards to obtain assured advice that will help them achieve

compliance and save money. Each council in Wales sets out its local corporate priorities and produces improvement plans: and they inevitably provide a commitment to improving the local economy.

CONTRIBUTION TO THE AGENDA

Trading Standards supports business compliance through active business support. Officers use their expertise to guide businesses through the “compliance maze”.

Primary Authority

Primary Authority allows businesses to be involved in their own regulation. It enables them to form a statutory partnership with one local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or addressing problems. Such Partnerships help businesses manage relationships with local authorities across the UK, simplify regulatory processes and reduce the cost of compliance; deliver significant financial savings; and reduce risk. During 2020/21 there were 68 Primary Authority Partnerships in Wales covering 60 businesses and 8 trade associations, each having multiple members.

Assured Trader Schemes

Trading Standards Services support Approved Trader Schemes across Wales with 8 local authorities supporting 59 businesses during 2020/21, representing 53% of all local trading standards services. These schemes aim to take the risk out of identifying a good trader. Trading Standards may direct consumers towards traders who are members of such schemes. This is very positive for business (it allows reputable traders to demonstrate their good name) and for consumers (as it directs them away from the rogue traders).

Market Surveillance

The legality and robustness of the market place is routinely tested; to ensure that one business is not obtaining an unfair advantage by cutting corners. Typical activities in recent years have included checks on:

- The authenticity of meat;
- The accuracy of advertising statements (e.g., Visit Wales);
- The safety of products (PPE, toys, electrical equipment);
- TB testing on cattle;
- Feed standards at farms; and
- Whether car mechanics are using counterfeit data software

Tackling Rogue Traders and Fraudsters

Trading Standards also ensure that rogue traders and fraudsters are brought to justice. Such illegal activity has a direct impact on the ability of the victims to continue to be economically active; and also undermines the ability of reputable businesses to compete in an unfair environment.

EXAMPLES OF SUPPORT:

Isle of Anglesey County Council

During 2020-21, the majority of new businesses were pop-ups as a result of the pandemic or existing businesses diversifying. Support was provided in the form of advice and guidance concerning all relevant laws, regulations and trading practices. Support has been on-going and some referrals to Business Wales to aid more long-term start-ups. As a result of Covid related enquiries from businesses, mailshots and information packs were created on subject specific concerns and distributed to various business sectors to cover all potential enquiries as and when regulations were amended and guidance updated.

Shared Regulatory Services

Since SRS came into being in 2015, it has developed a range of services to support local businesses including bespoke guidance sessions and the provision of training courses. The challenges of 2020-21 resulted in a review of the way in which support for businesses has been delivered, to better suit the quickly changing needs of the different trade sectors.

Among its Primary Authority partnerships, SRS has three with major supermarkets for devolved matters only. Through regular dialogue, the service has been able to assist these companies to navigate the changes, made at pace, to the Coronavirus Restrictions Regulations in Wales. At the same time, this work assisted local authorities across Wales by SRS acting as a conduit for enquiries about the measures in place across the various stores, thereby aiding consistency and avoiding duplication. SRS was able to make available to other local authority regulatory services a summary of the arrangements they could expect to see put in place by the Primary Authority retailers at local store level with regard to COVID safety. These summary documents set out the means by which stores aimed to achieve compliance on such things as non-essential goods, the wearing of face coverings, cleaning arrangements and also in managing store capacities. These documents were updated as necessary, for example to reflect changes to the Coronavirus legislation and guidance.

For further examples visit our website at:

<https://tradingstandards.gov.wales/en/home/>

CONCLUSIONS AND RECOMMENDATIONS

Welsh Government provides much of the funding that allows local authorities to support Trading Standards Services. Welsh Government is committed to economic growth and Trading Standards is responsible for the delivery of a fair trading environment that provides fair competition to allow economic growth to flourish. It is crucial, therefore, that Welsh Government recognises the pressure

on these small services if the public are to be protected and business afforded the advice it requires to succeed.

Trading Standards services can contribute significantly to the regrowth of the market post pandemic by supporting businesses that have struggled by providing advice and guidance on compliance ensuring that they have a competitive advantage by being trusted and reputable traders.

July 2022