

TRADING STANDARDS NEWS

Supporting Businesses in the Midlands

SPRING
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TRADING STANDARDS
BUSINESS ADVICE LINE:
0845 330 3313

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Welcome...

... to this issue of *Trading Standards News*, produced by 14 Trading Standards authorities in the Midlands. *Trading Standards News* aims to provide businesses in the region with a regular source of advice on changes in legislation and topical issues. This issue is packed with advice and information – ranging from the latest rules on the promotion of alcoholic drinks to examples of business scams currently doing the rounds. *Trading Standards News* has partnered with Business Link West Midlands to bring you case studies that highlight the support available. Together, we are committed to helping your business thrive in this difficult economic climate.

Beating the criminals

Every year, West Midlands Police deal with businesses that have been affected by crime, from independent shop owners to multinational companies. Business crime is not a victimless crime – it can have long-term effects on an organisation and its staff.

The British Chamber of Commerce Survey says the average cost of crime to businesses is £8,000 per year. Security considerations should be an integral part of your business plan, not a reaction after the event.

Once a commercial property has been attacked, it is five times more likely to be targeted again. The successful criminal will have identified where the weaknesses are, so it is important to upgrade the security at that point.

It is important to remember that fire and personal safety must come before security issues, so fire regulations must not be breached. Detailed advice is available from your local Fire Safety Centre.

Crimes against businesses are not usually planned – they usually happen when someone spots an opportunity. Look at your business through the eyes of a criminal – how easy is it for someone to break into your premises or even to walk into an office and take your property?

In an ideal world, any security you decide to put into place should cover all the risks posed to your organisation. In reality, your budget may not stretch that far, and so a good risk assessment is required to decide what risks are a priority. The police cannot work alone – we need to work together if we are to reduce business crime.



Pitching for work?
Make sure you
do it safely!

A HEAD FOR HEIGHTS

Falls from height are the biggest single cause of fatalities in the construction industry in the UK – with several deaths and many injuries from falls at domestic and small commercial premises

The HSE has a section on its website dedicated to construction, including information on how to carry out roof work safely (see www.hse.gov.uk/falls/roof.htm). This helps you to identify the risks involved with minor roof work and choose the right equipment to do the job.

Roof work forms one of the three principal strands of HSE's Small Sites Strategy – the other two being Manual Handling and Welfare. As part of a national refurbishment inspection campaign, HSE inspectors have been targeting domestic and small commercial premises, pitched and flat roof repair.

Trading Standards, HSE, other agencies and large construction companies are working together to improve safety standards in roof work. One way of doing this is to identify the smaller companies and self-employed workers, who are

traditionally harder to reach, and invite them to free events to share best practice.

Staffordshire & Shropshire Working Well Together Group is holding a free Roof Work awareness day on 12 May at Stoke City FC's Britannia Stadium.

This half-day event is aimed at small to medium-sized companies that carry out roof work or any other work-at-height activity that can include:

- Gutter cleaning;
- Putting up a display;
- Shelf stacking;
- Window cleaning;
- Unloading a vehicle; and
- Machine maintenance.

For information and details of how to book your place, contact Barbara Cliff at barbara.cliff@hse.gsi.gov.uk or call 01782 602306. For more details on Working Well Together, visit: www.wwt.uk.com.



CEnTSA, Central England Trading Standards Authorities, is a partnership of the 14 local authority Trading Standards services in the Midlands. CEnTSA aims to support these authorities in providing consistent, quality services to local businesses and consumers.



Busting scams

Scams don't just affect the general public – a number of them specifically target businesses. Two of the scams currently doing the rounds are detailed below

Overpayment scam

This can apply to businesses that supply both products and services, and generally works by the fraudster making contact by email and insisting that contact is maintained in this way; claiming to be abroad at the time; offering more than the asking price of the goods or services, and asking for the balance to be refunded by electronic funds transfer.

Below are two examples of situations where scams have taken place:

- A hotel is approached and rooms are booked. A large overpayment is made to book ancillary services such as car hire,

'In all cases, the initial overpayment will be by cheque, which turns out to be either stolen or counterfeit. Take care with such approaches'

but the hotel is asked to send back by electronic money transfer the unused balance; and

- An artist is approached and offers made to purchase various items of her work. The fraudster offers a large overpayment to cover posting costs, but asks for the unused balance to be refunded by money transfer.

In all cases, the initial overpayment will be by cheque, which turns out to be either stolen or counterfeit, and

the target ends up losing the balance they have refunded by electronic money transfer. Take care when receiving such approaches.

Mirror websites

We have been made aware that some letting and estate agents are being targeted by fraudsters who are creating 'mirror' websites of genuine businesses in an attempt to defraud members of the public.

This scam works by the fraudster copying the genuine website, and they benefit by persuading consumers to send money, up front, for properties

that they obviously do not have on their books to let.

It seems that the fraudsters might be particularly targeting people from overseas who are looking to come to the UK, and who have difficulty in confirming the validity of the property being advertised. If you have a website, you are advised to check that your details have not been copied so that you do not inadvertently become involved in the scam.

Making law easy



The law can be complex, and businesses can have difficulty navigating the laws that apply to them. With this in mind, while continually consulting with businesses and professionals along

the way, we have developed the ERWIN website (www.everythingregulation.org.uk).

The ERWIN website, which was designed to ensure consistency and clarity for businesses and create efficiencies for local authorities on a national level, falls under the Improving Efficiencies' work programme area for EERSP (East of England Regulatory Services Partnership).

The philosophy behind the project focuses on two key fundamentals. A national and co-ordinated approach to providing regulatory business advice and information ensures greater consistency and coherence for businesses, while regional co-ordination increases the opportunities for creating efficiencies and improves the effectiveness of local authority service delivery.

ERWIN was developed for businesses by businesses – and early reviews demonstrate that it is providing the high-quality advice that it was designed to.

ERWIN aims to provide businesses across England and Wales with consistent guidance, which will:

- Simplify and interpret the legislation;
- Provide sector-specific advice and information for businesses, so they have appropriately targeted advice;
- Assist businesses to prioritise the work they need to do in order to meet the legal requirements;
- Be easy to access, free to use, timely, easy to follow and use simple checklists;
- Give clear instructions on how to comply; and
- Provide a one-stop-shop website for all regulatory services advice.

Business leaders and regulatory professionals are already benefiting from ERWIN. Chambers of Commerce and other business groups that have recently trialled ERWIN have rated it as a 'fantastic idea' and a 'very useful site'. As well as business leaders, ERWIN has also struck the right note with national regulatory bodies such as the Office of Fair Trading (OFT), which is a great advocate of the website.

Also, in an effort to continually look at ways to progress ERWIN, a local authority (LA) specific component has been built into the site. The ERWIN LA pages are a personalised place on the site where each local authority can host their own local information and contact details, if they wish to.

GET YOUR PROMOS RIGHT

'Thursday Special – entry just £10 and unlimited drinks all night'

Promotions such as those illustrated are generally no longer allowed. New legislation came into force on 6 April banning 'irresponsible drinks promotions'.

The rules are intended to promote the licensing objectives of public safety, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. They are in response to the so-called binge-drinking culture, and aim to stop promotions that encourage rapid or excessive drinking.

So what is an irresponsible drinks promotion? The legislation describes a range of activities and events such as:

- Games and activities that require or encourage people to drink a quantity of alcohol within a time limit;
- Games or activities that require or encourage people to drink as much alcohol as possible;
- Provision of unlimited or unspecified quantities of alcohol free or for a fixed fee;
- Provision of free or discounted alcohol or other prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- Provision of free or discounted alcohol where it is dependent on the outcome of

a race, competition or other event, or the likelihood of anything occurring (except where the discount is connected to consumption with a table meal);

- Selling or supplying alcohol connected with promotional material on or near the premises which can be considered to condone or glamourise anti-social behaviour or refer to the effects of drunkenness in any favourable manner;
- No alcohol shall be dispensed directly into the mouth of another person (except where necessary to due disability); and
- Free tap water must be provided to customers on request.

'All England world cup games shown here – 1/2 price shot every time England score'



The new laws are aimed at promoting public safety.

The legislation also states that any similar activities are not allowed. These rules only apply to the sale and supply of alcohol for consumption on the premises.

You also need to make sure that all promotions are fair and accurately described, that price indications and offers are not misleading. The Advertising Standards Authority code of practice also states that adverts should not link alcohol to sexual activity or success.

The responsibility for ensuring these rules are followed lies with:

- The premises licence holder;
- The premises supervisor; and

● Anyone over 18 authorised by the above. In premises with a club premises certificate, then it is any member or officer of the club on the premises in a capacity to prevent the supply of alcohol.

To comply with the legislation, you need to make sure your promotions do not encourage irresponsible drinking.

More information about these rules can be obtained from your local council licensing authority, police licensing team or trading standards.

'Buy 6 bottles of beer tonight and get a free t-shirt'

Have their cake and eat it!

From bio-chemicals to baking cakes, a West Midlands duo's cupcakes are in demand



Two friends fell upon the idea of launching their own brand of specialist cupcakes during a trip to Sydney more than a year ago when they visited a quaint little shop specialising in cupcakes.

Business partners Dalvinder Cheema and Mary Ashman had no practical business experience so didn't know if their idea was viable. Dalvinder graduated in bio-chemistry and Mary holds a NVQ in business administration.

They approached their local women's development agency that put them in touch with Business Link West Midlands. Dalvinder said: 'Business Link WM gave us a great amount of support.

'We went through the business start-up programme and, working with a Business Link adviser, we had help with developing our business plan including financial planning, sourcing our labelling, packaging and transportation.

'We won index vouchers from Wolverhampton University, which Business Link WM helped us to use to develop our website for online.'

The ethos behind their company – Kiss Me Cupcakes – is to have the equivalent of a 'fine-dining experience', made with the finest local produce, sourcing their free range eggs and seasonal fruits from local suppliers.



REWARDING GOOD PRACTICE



Staffordshire County Council Community Services coordinates the Live Well Be Well partnership, which includes representatives from all local authorities and PCTs in Staffordshire. It was formed early in 2008

The awards are specifically designed to improve the health, wellbeing and quality of life of communities in Staffordshire, with a focus on vulnerable children and adults.

So far, two awards have been developed: Nurturing Health, for young children in nursery settings; and Caring for Health for adult care providers, including residential and nursing homes.

The Nurturing Health Early Years award scheme sets high standards for food provision, physical activity and oral health for 0-5-year-olds in nursery settings. It promotes sustainable lifestyle change by focusing on child and family learning and engagement.

The award pilot ran between September 2008 and March 2009 in Tamworth. Six nurseries took part, providing a direct impact on around 325 children and their families, and 100 staff.

As part of the pilot, Dolly Mixtures Nursery in Tamworth has been awarded the Silver level. 'The award scheme has enabled us to give advice to families on safe and healthy diets, which they can follow at home,' said manager Judy Terry.

Following the pilot, the Nurturing Health Award is now an identified

example of good practice in obesity prevention for under-fives in the Children's Healthy Weight Commissioning Framework in Staffordshire.

It is to be rolled out within three districts in Staffordshire in partnership with the District Council Environmental Health Services.

Health matters

The Caring for Health Award focuses on improving the health, independence, dignity, safety, wellbeing and quality of life of residents in care homes in Staffordshire. This two-level award scheme is open to all care homes in the county, and supports and recognises high standards of care in the following areas:

1. Food provision, nutrition and hydration;
2. Oral health and oral hygiene;
3. Physical activity, mental health and wellbeing; and
4. Falls awareness and assessment.

For further information on the Live Well Be Well partnership and the awards in Staffordshire, visit:

www.staffordshire.gov.uk/health/healthdevelopment/nurturingawards.

Better business, healthier food

Over the last 10 years, research carried out by local authorities, Primary Care Trusts and voluntary sector organisations in the West Midlands has identified areas where there is poor access to healthy food. It is important to ensure that as many people as possible are able to buy fruit and vegetables within walking distance of their homes.

Last year the Department of Health for the West Midlands commissioned work to develop a food access standard that could be included in the West Midlands Local Transport Plan and other local plans. This work

can be viewed at www.foodwm.gov.uk. Local authorities now have this information, including maps showing the retailers that have registered to sell fresh fruit and vegetables through the Healthy Start scheme.

In Sandwell, following the results of a local study of food access, Neighbourhood Renewal Funding was used to develop a support scheme for local shops – known as 'Shopwell'. Forty-three neighbourhood retailers joined the scheme. The support offered included price ticketing equipment, training and promotions provided

by a partner fruit and veg wholesaler.

That work has now been superseded by the roll-out of the national Convenience Store project run by the Department of Health. Shops can now join Change4Life and work with the local NHS to promote healthier eating.

The shops will have a fruit and veg makeover, display Change4Life signs, and appoint a member of staff to champion fresh fruit and veg in store. Visit www.nhs.uk/change4life.



This newsletter is produced and published for the Trading Standards Services of these 14 local authorities, with support from Business Link in the West Midlands. It is intended for general guidance and is not a substitute for detailed advice relating to specific issues and circumstances. If you would like advice on any of the issues covered in this newsletter, or if you need help with any other Trading Standards legislation, call the Business Advice line on **0845 330 3313**. Alternatively, visit www.centsa.org.uk and follow the links to your local authority website.