

Report

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Report to:	Community Resources Committee
Date of Meeting:	31 March 2009
Report by:	Executive Director (Community Resources)

Subject:	Trading Standards Scottish Scambuster Project Team Authorisation
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ inform Committee of a Scotland wide “Scambuster” Project targeted at tackling trading malpractices operating across local authority boundaries and
- ◆ request approval for powers to be delegated to the Executive Director (Community Resources) to authorise officers employed within the Scambuster Team.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the establishment of the “Scambuster” Project be noted;
- (2) that powers be delegated to the Executive Director (Community Resources) to authorise appropriate officers of the Scottish Scambuster Team employed by North Lanarkshire Council, to exercise statutory powers in relation to Consumer and Trading Standards legislation, (including where appropriate, the right to enter land and premises) whilst discharging duties in South Lanarkshire.

3. Background

- 3.1. Following the success of pilot Scambuster projects in England, the Society of Chief Officers of Trading Standards in Scotland (SCOTSS) took the opportunity to apply for support funding from the Department for Business, Enterprise and Regulatory Reform (BERR) to provide a Scambuster Team which would operate across Scotland. The Society selected the joint application from North Lanarkshire and Dundee City Councils to host the Scottish team. The funding award was announced by BERR in June 2008 and will run until March 2011.
- 3.2. The project comprises two teams, one of which is based in Motherwell and covers the South and West of the country. This team is comprised of the Project Manager and three investigators. The other team is based in Dundee and covers the North and East of Scotland, and is made up of a Team Leader and two investigators.
- 3.3. The remit of the project is to target major cross border scams involving serious consumer fraud. The teams will be working across local authority boundaries on intelligence led operations. Drawing on the experience of the pilot teams, they will be expected to cooperate with other agencies such as the Police and H M Revenue and Customs (HMRC). They will also work in collaboration with all Scottish Trading Standards Services.

- 3.4. A steering group for the team has been established involving representatives of SCOTSS and Consumer Direct Scotland. The Project Manager will provide quarterly progress reports to the steering group, and information will be provided to all local authorities and other key stakeholders.

4. Committee Considerations

- 4.1. As the work of the Scambuster team involves activities throughout the country, a protocol for the project has been agreed by SCOTSS covering the following issues:
- ◆ Working practices for project team officers when operating outside their employing authority
 - ◆ The mechanisms whereby Scottish authorities are updated on the progress of the project
 - ◆ The exchange of intelligence and information between Scambusters and all Trading Standards Services throughout Scotland
- 4.2. Each local authority has designated a contact officer. The Project Manager and Team Leader will be required to keep the contact officer updated on the progress of investigations and of any enquiries being carried out in their area.
- 4.3. It is recognised that officers employed in the Project Team require authority to initiate and undertake investigations of potential offences falling entirely outwith the boundaries of North Lanarkshire and Dundee City Councils. This can be achieved by authorisation of North Lanarkshire Council officers by this Council with the involvement of one of the Council's authorised officers. Where potential offences are discovered, these will be reported to the Procurator Fiscal by the Project Team.

5. Employee Implications

- 5.1. South Lanarkshire officers may become involved in ongoing scambuster investigations within this Council's area.

6. Financial Implications

- 6.1. None

7. Other Implications

- 7.1. There are no other implications for the Council as a consequence of this initiative.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.
- 8.2. Legal Services have been consulted on the content of the report.

Norrie Anderson
Executive Director (Community Resources)

9 March 2009

Link(s) to Council Objectives and Values

- ◆ Improving Community Safety
- ◆ Support the Local Economy by providing the right conditions for growth, improving skills and employability

Previous References

None

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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