

WEST LOTHIAN COUNCIL
ENVIRONMENTAL HEALTH & TRADING STANDARDS
CONSUMER ADVICE, CONSUMER EDUCATION AND
BUSINESS ADVICE POLICY

1. INTRODUCTORY NOTES

- 1.1 West Lothian Council discharges its regulatory responsibilities as a weights and measures authority through the Trading Standards Section of Environmental Health & Trading Standards Services. References to West Lothian Council, the Council, the Authority or Environmental Health & Trading Standards Services (and its officers) may consequently be used interchangeably and should be interpreted accordingly.
- 1.2 Copies of this policy will be available to the public and businesses, free of charge, from Environmental Health & Trading Standards and will be available on-line.

2. SERVICE AIMS AND OBJECTIVES

- 2.1 To investigate enquiries where there is an alleged, or potential infringement, of criminal law by application of the Services Enforcement Policy.
- 2.2 To use information gathered from consumers to detect situations where civil enforcement powers (e.g. Enterprise Act 2002) may be used by the service to prevent businesses from persisting in a course of conduct that harms the collective interests of consumers.
- 2.3 To provide businesses with technical and legal advice with the objective of enabling them to trade fairly and in compliance with civil and criminal legal obligations.
- 2.4 To provide self-help advice to consumers in civil law disputes and refer them to other advice agencies as appropriate, e.g. Consumer Direct, enabling them to exercise their own legal rights more effectively following the supply of faulty goods or substandard services.
- 2.5 To provide preventative advice through education initiatives, targeted at particular groups as deemed necessary.

By enabling consumers and businesses in these ways, the Service aims to create more informed, confident, demanding consumers and to encourage businesses to operate in a competitive environment and work towards continuous improvement of their trading practices.

3. CORE VALUES

3.1 The following core values underpin our Service aims and objectives.

3.1.2 Free Service

The advice and education services provided directly by Trading Standards are free of charge to all users. Where applicable, the parties concerned shall meet the cost of independent examination or testing services, carried out with a view to resolving disputes between consumers and traders.

3.1.3 Independence and Fairness

The advice provided will be impartial and independent of the interests of any party to a dispute. It will be based upon an assessment of the rights and obligations of the consumer and business concerned. We aim to treat both consumers and businesses fairly and even-handedly whilst recognising that differences in bargaining power may give one party to a dispute a disadvantage which may justify the service acting as an advocate for that party's interests where it is appropriate to do so.

3.1.4 Customer Focus

Advice and education services will be customer-focused and targeted at identified local needs. We will consult consumers and businesses to help us to identify those needs.

3.1.5 Protecting Vulnerable Consumers

Trading Standards will target its services towards the needs of consumers who are especially vulnerable for any reason including, but not limited to, financial or social deprivation, infirmity or illness, living alone, communication difficulties, poor understanding of legal rights or technical aspects of goods/services, taking account of the principles of the Life Stages Model.

3.1.6 Accessibility and Equal Opportunities

Trading Standards will endeavour to maximize accessibility where resources permit. In addition to maintaining traditional means of accessing our services we will give due consideration to:

- The needs of people who live out-with easy reach of our offices.
- The need to provide information and advice, and to permit contact with the service, out-with office hours.
- The use of new technologies to improve access whilst bearing in mind the needs of those who are uncomfortable with using such technologies.
- The needs of particular client groups who, for whatever reasons, have tended not to make use of our services.
- The need to take the service into the community and to particular client groups rather than always expecting users to come to us.
- The need to provide access which is at low cost to the user.
- Home visits where there is a genuine need.
- The need to provide equal opportunities for all regardless of age, gender, infirmity, disability or ethnic origin.

3.1.7 **Partnership Working**

Trading Standards is committed to working with other advice providers, in both the voluntary and statutory sector, to achieve a joined-up approach to service delivery. To this end, all first-contact enquiries will be diverted to Consumer Direct Scotland, the free national consumer advice helpline, or other advice agencies as appropriate.

4. **THE CORPORATE PLAN**

4.1 This policy contributes to the Corporate Plan in the following areas:

- A Learning Community: Through the provision of a consumer education service we aim to make consumers better able to make reasoned judgements about the goods and services they purchase and how to deal with complaints if things go wrong.
- A Caring Community: We aim to identify and target our service towards the most vulnerable groups within our community.
- A Prosperous Community: Advice and assistance is available to local businesses to enable them to maximise their role in the economy through compliance with relevant legislation and an understanding of their obligations to consumers under civil legislation.
- A Changing Community: We aim to keep pace with changes in the local community with the increase in population and the vast selection of business premises now operating within West Lothian.

5. **HOME AUTHORITY PRINCIPLE**

5.1 The Council supports the Home Authority Principle promoted by Local Government Regulation. This is where one local authority elects to be a main point of contact for businesses which trade across several local authority areas.

5.2 Advice and information offered to consumers and businesses will be consistent with the Home Authority Principle.

6. **REVIEW**

6.1 This policy will be subject to annual review.

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