

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. Advice Direct Scotland, 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 cost of independent examination or testing services, carried out with a view to resolving disputes between consumers and traders, shall be met by the parties concerned.

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 the technical aspects of particular goods/services.

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 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 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.

3.17 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 Advice 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:

- Delivering positive outcomes on health.
- Reducing crime and improving community safety.
- Improving the quality of life for older people.

5. HOME AUTHORITY PRINCIPLE/PRIMARY AUTHORITY PARTNERSHIPS

5.1 The Council supports the Home Authority Principle and the Primary Authority Partnership scheme.

5.2 Advice and information offered to consumers and businesses will be consistent with the Home Authority Principle. Advice given to businesses participating in the Primary Authority Scheme will be consistent with any advice given to them by their own Primary Authority Partner.

6. REVIEW

6.1 This policy will be subject to annual review.

May 2011 (last reviewed September 2019)