

SUPPORTING BUSINESSES AND COMMUNITIES BUSINESS ADVICE, ENQUIRIES AND CHARGING POLICY (Proposed)

Strategic Overview

Cambridgeshire County Council's Supporting Businesses and Communities Service carries out a wide range of statutory functions protecting residents and supporting local businesses.

The Service contributes to the Council's vision to:

- Develop the local economy for the benefit of all.
- Help people live healthy and independent lives.
- Support and protect vulnerable people

1. INTRODUCTION

This policy document sets out how Supporting Businesses & Communities, through its Trading Standards function, seeks to engage with local businesses with the objective of achieving improved economic growth supported through better regulation.

This document also offers guidance on how business complaints and enquiries will be handled to ensure consistency and safeguard the interests of legitimate businesses.

This policy document sets out the circumstances when it would be appropriate to make discretionary charges for the giving of advice to businesses based within and outside the County of Cambridgeshire.

2. BACKGROUND

This authority's Trading Standards function sits within the Supporting Businesses and Communities Service which is within the Economy, Transport and Environmental Services Directorate of Cambridgeshire County Council. The Service has responsibility for a wide range of legislation intended to protect both consumers and businesses.

The Council's long term vision for Cambridgeshire is "Making Cambridgeshire a great place to call home". To support this vision, the Council has a number of strategic priorities. One of these is "developing the local economy for the benefit of all."

The vision of the Supporting Businesses and Communities Service is "Supporting the needs of communities and businesses by working together to help them achieve their goals".

The Council acknowledges the key role played by local regulators and will follow the guidance of the Regulators' Code and better regulation agenda, both of which aim to improve regulatory outcomes without imposing unnecessary burdens on business.

It is recognised that the majority of businesses want to trade fairly and legally. Consequently, it is the Council's policy to work proactively with such businesses to assist them to comply with legislative requirements.

3. SERVICE DELIVERY

Our partner organisation, the Citizens Advice Consumer Service, has expertise in consumer law and can provide advice for businesses regarding disputes with other businesses or consumers. The Citizens Advice Consumer Service (CACS) can be contacted via their telephone 0345 4040506 and web based service.

Supporting Businesses & Communities are not able to give advice to businesses that have a civil law contractual dispute. Businesses which make direct contact with this Service requesting this type of assistance will be directed to contact the Citizens Advice Consumer Service.

Businesses who require advice on legislation relating to the set up or running of a business should in the first instance visit our web pages at:

http://www.cambridgeshire.gov.uk/info/20074/trading_standards

If the answer cannot be found via the web pages then contact is through a dedicated telephone service at our Customer Service Centre. The Customer Service Centre may signpost the business to an appropriate source of advice. If it is not possible to answer the enquiry on the first call, the matter will be referred to the Trading Standards team.

4. CHARGES AND LIMITATION OF SERVICE

The Council acknowledges that the demand for service is likely to outweigh the available resources. Operational decisions as to the level of support the Service is able to offer will be made based on the available resources at any given time.

As part of Cambridgeshire County Council's objective of supporting local business, Supporting Businesses & Communities is changing the way in which advice is provided for businesses from 1st April 2015.

There are various levels of support we can offer depending on the nature of your business.

5. ADVICE TO BUSINESSES

5.1 Free General Advice

Advice is available with no charge in the following circumstances:

a) **New Business Start ups**

If a person or company is considering setting up a business, or expanding into a new area of business in Cambridgeshire, Supporting Businesses & Communities will advise of and signpost to the relevant legislation applicable to each business in order to support compliance. Interpretation of that legislation or further support on specific legislation will fall under 5.2 chargeable bespoke advice.

b) **Advice to Existing Business**

We will work with our advice partners to ensure existing businesses operating within Cambridgeshire are aware of their legal rights and obligations relating to goods and services. Where, following contact with Trading Standards, action is required to achieve compliance, we will ensure the business is made aware of what that action is, which will include signposting to consumer protection legislation and guidance and other sources of information. Interpretation of that legislation or further support on specific legislation will fall under 5.2 chargeable bespoke advice.

5.2 Chargeable Bespoke Advice

For any business that needs more detailed and comprehensive support and who has not entered into a Primary Authority Partnership (see below), Supporting Businesses & Communities can provide bespoke advice across the spectrum of Trading Standards legislation. We can be flexible to your time frames and advise on specific issues of concern. This could include, but is not limited to, areas such as:

- (a) Legal interpretations specific to your business
- (b) Detailed labelling guidance for your products
- (c) Advice on diligence procedures and control systems
- (d) Assessment of your terms and conditions
- (e) Assessment of your brochures/leaflets/advertisements
- (f) Staff training on, for example, new or complex legislation

Fees are charged based on a cost recovery basis at a pro-rata hourly fee. Details of current charging can be found in our published fees and charges.

5.3 Primary Authority Partnerships

If your business operates or sells products beyond Cambridgeshire, you can enter into a Primary Authority Partnership (PAP) with us. This is an arrangement for a single point of contact which is formalised through a statutory Primary Authority Partnership agreement as set out in Part 2 of the Regulatory Enforcement and Sanctions Act 2008.

The contract between us and your business will allow for the provision of ongoing advice and support on specific areas of regulation applicable to your business. The purpose of these agreements is to ensure consistency of advice and limit

interventions when a business has the need to deal with another or several Trading Standards Services.

Under Primary Authority other regulators are unable to take enforcement action when you follow assured advice provided by us.

Primary Authority Partnerships are charged based on a cost recovery basis. An annual Partnership fee will be charged to businesses which will include for 2 hours of advice, thereafter a pro-rata hourly fee applies. Details of current charging can be found in our published fees and charges.

Please visit the [Better Regulation Delivery Office website](#) for more information.

5.4 Consultant/Third Party Advice

It is Council policy to not generally give advice to consultants or third parties acting on behalf of a business. This is to ensure there are no conflicts or miscommunications between parties. It is not our role to act as consultants or advise on the marketing of a product or service.

5.5 Businesses Based Outside Cambridgeshire

It is Council policy to redirect a business to the appropriate Trading Standards Service for advice if their Head Office is not in Cambridgeshire and no significant operations of that business take place within the county. The only exception to this is where the County Council have entered into a Primary Authority Partnership with a business based outside Cambridgeshire.

6.0 TRADING STANDARDS INSPECTIONS

Supporting Businesses & Communities is committed to avoiding the imposition of unnecessary regulatory burdens, and to assessing whether similar outcomes could be achieved by less burdensome means.

Where areas of non-compliance are discovered, it is the policy of the Council that, in the majority of circumstances where there is previous good history and no dishonesty, negligence or practices against consumer interests are suspected, the matter is resolved through the giving of advice. If an intervention is required, further action may be taken in accordance with the [Council's Enforcement policy](#).