**TRADING STANDARDS: THE IMPORTANCE OF SHARING INFORMATION**

Background

**NAME OF TRADING STANDARDS SERVICE** Trading Standards service are reaching out to all schools within the borough to request your support with the sharing of relevant information. This will enable us collectively to reduce the sale and use of alcohol, illicit products, vapes, cigarettes, and other non-compliant nicotine inhaling products (NIPS).

**NAME OF TRADING STANDARDS SERVICE** Trading Standards have concerning data associated with the sale of vapes, illicit cigarettes, and other non-compliant “NIP” products within the borough. **Since MONTH/YEAR (IF APPLICABLE),** Trading Standards has conducted **NUMBER OF VAPE TP’s** vape test purchases using underage volunteers, noting a **PERCENTAGE FAILURE RATE %** failure rate. Trading Standards also completed **NUMBER OF ILLICIT TOBACCO TP’S** illicit tobacco test purchases, and noted a failure rate of **FAILURE RATE %.** More concerning, a large proportion of these sales were in close proximity to schools. Therefore, the collective sharing of information is an essential tool to reduce the threat, risk, and harm to young people within the borough.

“There has been significant concern over the past 12 months surrounding the increasing popularity of disposable vapes with young people. There is a strong causal link between age-related vaping behaviour with 10% of 11-15 year olds having ever tried vaping, compared to 29% of 16 and 17 year olds”[[1]](#footnote-1) ((ASH), 2022).

There are a number of immediate concerns associated with vapes and illicit tobacco, which range from their overall non-compliance, safety related issues attributed to batteries, excessive nicotine strength, modified tanks (containing illegal substances) and labelling irregularities.

**NAME OF TRADING STANDARDS SERVICE** Trading Standards has also seized approximately **£ MONETARY VALUE SEIZED** worth of non- compliant vapes and illicit tobacco products that were potentially destined for young people, as the eventual end-users within the borough. These products are often cheaper and more attractive to young people. As a result, there are also wider concerns relating to anti-social behaviour, due to the scale of illicit trade, and product availability.

Other more serious issues associated with the sale of such products include, the funding of Organised Criminal Groups (OCG’s), and other more serious activities.

**Information or Intelligence?**

In its simplest form, information relates to raw, unverified and unevaluated data gathered from numerous sources. Each piece of information collected can be vital in the overall intelligence picture.

Intelligence refers to processed, evaluated and perspective-driven data that is gathered from trusted sources. There is often a misunderstanding of the difference between intelligence and information.

Only information that has been analysed will become intelligence. **This will always be completed by the respective law enforcement body handling the information.**

When gathering information, although not exhaustive, it is essential to obtain the following (where possible);

* Who?
* What?
* Why?
* Where?
* When?
* How?

**The benefits of “safeguarding” students along with the overall health benefits to education teams, local authorities, and the wider community are vitally important.**

**How?**

By ensuring agencies that undertake activity to disrupt or dismantle those that provide such items to children and young persons are aware. Trading Standards can only undertake such activities if they have the necessary information to evaluate it, and consider what action they can undertake.

Without the information, the following will occur:

* The issue will persist.
* Nothing can be undertaken.
* Increased sale, and use of illicit products to those under 18.
* This in turn creates a burden on education teams, Public Health, Metropolitan Police, responsible authorities, and other agencies.

**Can schools share information obtained from students?**

**The answer: “YES YOU CAN”**

Data Protection is not a bar to sharing information as it provides guidelines in order to share –

One such piece of guidance states:

* Under the GDPR and Data Protection Act 2018 **you may share information without consent if, in your judgement, there is a lawful basis to do so**, such as where safety may be at risk. You will need to base your judgement on the facts of the case. (See [Information sharing: advice for practitioners (publishing.service.gov.uk)](https://protect-eu.mimecast.com/s/0r33CKY49IKg0WsMRbgA?domain=assets.publishing.service.gov.uk)
* It also indicates that information that may be beneficial to the prevention and detection of crime and support Investigations if there is a lawful basis to do so.
* Guidance under school policy should permit the passing of such information.

If Law Enforcement does not hold/have the salient information **(who, what, why, where, when, and how)**, the picture will remain unclear. Therefore, necessary, proportionate and appropriate action cannot progress to mitigate emerging threats, risks, or harm to young people.

Report Consumer Crime Tool

The following Trading Standards areas can be reported via the “Report Consumer Crime Tool”.

* People dealing in fake, illicit or unsafe products.
* The sale of age-restricted products to children.

For further information, or to report any of the above issues, please visit <https://www.londontradingstandards.org.uk/>

Alternatively, you can report information direct to **NAME OF TS SERVICE** at **TS SERVICE EMAIL ADDRESS**

**Other**

Children’s Services

If you have any concerns relating to a young person within the London Borough of **LOCAL AUTHORITY NAME**, please contact Children Services on **CONTACT NUMBER** **(OPENING HOURS INCLUDING TIMES),** **OUT OF HOURS CONTACT NUMBER** at any other time, alternatively please visit **LOCAL AUTHORITY WEBSITE LINK**

Safeguarding resources for professional

If you have any other concerns relating to Modern Day Slavery, including but not limited to, sexual exploitation, domestic servitude, forced labour, criminal exploitation, servitude/ slavery, and trafficking of people, please visit **LOCAL AUTHORITY WEBSITE LINK**

This may also include referrals via the National Referral Mechanism detailed below.

National Referral Mechanism (NRM)

This is a framework for identifying and referring potential victims of modern day slavery and ensuring they receive the appropriate support. Modern day slavery is a complex crime and may involve multiple forms of exploitation. It encompasses; human trafficking, slavery, and forced or compulsory labour.

If the potential victim is **under 18**, or may be under 18, an NRM referral must be made. Children cannot be referred using the DtN referral. Child victims do not have to consent to being referred into the NRM, they must first be safeguarded, and then referred into the NRM process.

For further information, please visit: <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

If you have other child-exploitation concerns and wish to remain anonymous, please contact “Crime Stoppers” on **0800 555 111**, or alternatively visit <https://crimestoppers-uk.org/>

1. Press Release: Fears of growth in children vaping disposables backed up by new national survey [↑](#footnote-ref-1)